

7/6/01

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - JULY 10, 2001

(The Honorable William F. Stone Jr. Presiding)

(Start \_\_\_\_\_ Recess \_\_\_\_\_ / \_\_\_\_\_ Stop \_\_\_\_\_ Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:

Debtors:

Case Nos.:

Trustees:

9:30 A. M. - PRE-TRIALS & MISCELLANEOUS

Carmody	LEONARD & SANDRA HILL-ch7 A/P 7-01-00057: Determine dischargeability Debtors v. Va. Dept of Taxation - <b>ORDER of 6/11 resolved AP</b>	7-01-00825	Wick/S
Carroll	GERALDINE STREET A/P 7-01-00058: Det. Dischargeability Debtors v Sears( ); Chase Manhattan Bank USA NA ( ); World Financial Network National Bank ( ) & MBNA America Bank ( )	7-00-01647	Callahan/NS
Farthing	KEVIN LITTREAL-ch7 A/P 7-01-00063: Det. Dischargeability Chase Manhattan Bank, USA,NA (Hutton) v. debtor	7-01-00624	Callahan/NS
Via	CHRISTINA TAYLOR-ch7 Motion #1: Relief - filed 6/13; d/e # 11, 12, 13 Conseco Finance Servicing Corp fka Green Tree Financial Servicing Corp (Chappell) v. Debtor & trustee ( <i>Order entered 7/2/01 granting relief by default</i> ) - <b>DEFAULT order entered 7/2</b>	7-01-01855	Callahan/MC
Carroll	BARRY MCREYNOLDS-ch7 Motion #1: Relief - filed 6/6 Bank One West Va. NA (Fleischhauer) v. debtor & trustee - <b>AGREED ord entered 6/15 granting relief ; cancels hearing</b>	7-01-01475	Callahan/MC

**9:30 A. M. - PRE-TRIALS & MISCELLANEOUS**

Large JONATHON & DEBORAH CORVIN-ch7 7-01-01689 Wick/AF  
Motion #1: Relief - filed 6/13; d/e # 11, 12  
Wells Fargo Home Mortgage (Sasser) v debtors & trustee  
Answer filed 6/20; d/e # 15  
**ORDER of 7/5 dismissed Motion, d/e # 17**

Farthing CARL & FONDA HAGY - Ch. 7 7-01-01581 Wick/VS  
Motion # 1: Relief  
Chrysler Financial Co., LLC (Higgs) v. Debtors & Trustee – d/e # 18  
  
Motion # 2: Relief  
Mercedes-Benz Credit (Higgs) v. Debtors & Trustee – d/e # 21

Kendrick BOBBY & CLARA CORDLE-ch7 7-01-01812 Wick/SJ  
Motion #1: Relief d/e # 13, 14, filed 6/21  
GMAC (Eason) v. debtors & trustee;

Copeland LESLIE & GWENDOLYN OVERBAY-ch76 7-01-02283 Wick/PR  
Motion #1: Relief - **filed 6/25; d/e # 11, 12 prehearing ord entered 6/25**  
Emergent Mortgage Corp c/b/a Homegold (P.Lake) v. debtors & trustee

**10:00 A. M. - MISCELLANEOUS HEARINGS**

Money TAMMY MCCREADY-ch7 7-00-02121 CallahanVS  
Motion of Trustee for authority to Sell property of Estate Free and Clear of  
Liens and Motion to shorten notice d/e # 46, 47, 48 - contd fr 6/5 (may need to  
file AP under R7001 to sell estate absent consent of co-owner of property) )  
**–Order of 6/18 entered granted case motion in part and AP 01-76 filed 6/18 w/Agr  
O/E 6/20 resolved remaining issue as to co-owner interest**

**10:00 A. M. - MISCELLANEOUS**

Fleenor	MARY PARNELL-ch7	7-01-01102	Callahan/SJ
	Obj of Trustee to Clam of Exemptions filed 5/30; d/e # 14		
Copeland	INDEPENDENT ENTERPRISES INC-ch11	7-98-02622	DIP/SJ
	Showcause for Debtor and Debtor's counsel; failure to comply with Local Rule 3022-1 (d/e # 84) - contd from 6/5 ; info presented 6/5 not in proper format		
Gifford	LONESOME PINE FOOD MARTS INC-ch7	7-98-00500	Callahan/SO
	Obj to claim #1: Twin States Disributing co d/e # 98		
	Obj to claim #21: Southern States Cooperative d/e # 99		
	<b>–Ord of 7/6 resolved claim #21</b>		
	Obj to claim #31 IRS - d/e # 100		
	<b>–Ord of 7/6 extended time for IRS to respond &amp; contd obj to 7/24 @ 10</b>		
Farthing	KENNETH & NANCY MITCHELL-ch7	7-01-00938	Wick/AF
	Motion #1: amended 6/11 to add ch 7 trustee as party - renoticed 6/11; d/e # 33, 34		
	Ford Motor Credit (Laura Hale) v. debtor & trustee		
Money	JERRY& LINDA MCCLURE-ch7	7-01-01154	Wick/MC
	Motion #4: Relief - filed 6/12; d/e # 23, 24		
	Bank One/Valley National Financial Services (Neyhart) v. debtors & trustee		
	<b>–Note: Agreed Order has been mailed to court as of phone message 7/6</b>		

**10:00 A. M. - MISCELLANEOUS**

Farthing	JAMES & TERESA SHELTON - Ch. 7 Motion # 1: Avoid lien filed 5/22 - Debtors v. American General Finance (            ) d/e # 12, 15	7-01-00936	Callahan /JJ
Farthing	KERMIT & KIMBERLY SHRADER - Ch. 7 Motion # 1: Avoid lien    d/e # 11 Debtors v. Beneficial Finance (            )	7-01-01105	Callahan/MC
Farthing	BUFORD & JOYCE GRUBB - Ch. 7 Motion # 1: Avoid lien – d/e # ____ Debtors v. Beneficial Finance (            )	7-01-01107	Callahan/BP
Copeland	MICHAEL & JUDY HOFFMEISTER - Ch. 7 Motion to Waive Debtor's (Judy) appearance at creditors' meeting & extending time for discharge – d/e # 13  Motion to waive Debtor's (Judy) signature as debt belongs to male debtor only – d/e #14	7-01-01546	Callahan/JJ
Copeland	HAROLD & MARY BRYANT-ch7 Motion #2: Relief - filed 6/21; d/e # 19, 20 Black Diamond Bank (Bolling) v. debtors & trustee – <b>DEFAULT order entered 7/3</b>	7-01-01808	Wick/AF
White	W & L LEASING & ENGINEERING-chll Motion #7: Relief <u>and/or rejection of lease</u> filed 6/20; d/e # 172, 173 Wells Fargo Equipment Finance Inc (White/Kieffer) v. debtor <u>Response of debtor filed 7/5, d/e # 174</u>	7-99-03015	DIP/MC

**10:00 A. M. - MISCELLANEOUS**

Lamie	SAMUEL BANKS-chll	7-96-01240	DIP/NS
	Status hearing - contd from 6/5 ; d/e # 247		
	*if agr ord ( by UST & Dbtr atty) entered approving amended Discl. Stmt; this hearing will be cancelled		

Copeland	JIMMY COOPER-chll	7-99-03591	DIP/VS
	Adequacy of Disclosure Statement, d/e # 104; 107		

Fee appl.; Stanley King, of \$59,576.26 filed 6/19; d/e#110

Beck	ANTAEUS TECHNICAL SERVICES-ch7	7-99-02114	Copeland/ <u>VS</u>
	Objections, if any to “negotiated credit” relating to environmental remediation Issues on Trustee’s Approved Sale of Real Property (heard on 5/31) <u><b>–Contd from Abg 6/20 &amp; 6/26</b></u>		
	Trustee’s Intent to Sell Property and Motion to shorten notice requirement filed 7/2 , d/e # 249		

## 1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Largen DANIEL & SANDRA KNOTT 7-97-04369 Widener/JJ  
Mod Plan filed 5/4/01, d/e # 75, 76 **contd from 6/20**  
**Objection:** Trustee w/Show Cause for dismissal or conversion – d/e # 78

Timoney VIOLA TAYLOR- 7-01-01126 Widener/JJ  
Plan filed 3/19, d/e #6 - contd from 6/5 recommended if files eval.mot on Heilig Meyers

Motion for valuation of washing machine: Heilig Meyers - filed 6/11; d/e # 17

**1:00 P. M. - CHAPTER 13 CONFIRMATIONS**

Copeland	EARL & JENNIFER HILLIARD Plan filed 5/15; d/e # 28, 29 <b>Objection:</b> IRS filed 6/4 d/e # 32 (Eckert) Commonwealth o Va. Dept of Taxation (Miner) filed 6/18; d/e # 35  Trustee showcause/dismissal; d/e # 20; contd from 4/18 <b>d/e # 17</b> ; contd further from 6/5	7-01-00340	Widener/NS
Hutchinson	JOHN & RHONDA NUNLEY-chl3 Plan filed 6/4 with certificate of service d/e # 22, 23  Motion of Trustee to Dismiss/Convert, filed 5/2, d/e # 16 <b>contd from 6/20*</b> to hear w/conf <u>set on 7/10</u>  <i>*(Note: 2<sup>nd</sup> Motion of Trustee d/e # 24 to convert/dismiss was <u>filed 6/20 &amp; set hrg 7/24 @1</u>; and on 6/21 an eval. Mot with First Va. Bk was filed &amp; set on 8/15 @ 1,)</i>  Motion #2: Relief; Oakwood Acceptance Corp. (Maxwell) v. Debtors and Trustee <i>*Note: no prehearing order - under 20 days notice)</i>	7-01-01382	Widener/SJ
Hutchinson	TERESA MCCREADY-chl3 Mod plan filed 5/25; d/e # 21, 22 <b>Objection:</b> Trustee with Motion to showcause/dismiss or convert; filed 6/6; d/e # 24  Motion of Trustee to convert/dismiss filed 3/29; d/e # 17, contd from 5/8 d/e # 18 to hear w/mod plan	7-00-00393	Widener/PR
Largen	ROBERT HALL JR- Mod Plan filed 5/14; d/e # 69, 70 <b>Objection:</b> Trustee with Motion to showcause; dismiss/convert; filed 6/6; d/e # 721	7-98-01926	Widener/JJ

**1:00 P. M. - CHAPTER 13 CONFIRMATIONS**

H Brown      WILLARD & SANDRA DAVIS-chl3      7-00-04044      Widener/SO  
Mod plan filed 5/8; d/e # 35, 36  
Trustee showcause; dismissal; d/e # 20; contd fr 3/6, 4/18 & 5/22

Motion for valuation: Sears; d/e # 33 contd fr 5/22; proposed ord submitted

**1:00 P. M. - CHAPTER 13 CONFIRMATIONS**

Lamie      DEWEY GORE-chl3      7-01-01408      Widener/AF  
Plan filed 4/2/01; d/e # 6  
**Objection:** Trustee with Showcause on Dismissal or conversion; d/e # 23

Lamie      SAMUEL & MARY TRENT      7-97-02085      Widener/MC  
Mod plan filed 3/26; d/e # 47, 48, 49; contd fr 5/8 to explore re-financing  
**Objection:** Trustee w/notice of showcause: dismiss or convert; d/e # 51  
**Objection:** Trustee w/notice of showcause: dismiss or convert; d/e # 62

Motion #1: Relief - d/e # 37, 38 - filed 3/1  
Fairbanks Capital Corp (Bierman) v. debtors & trustee  
Response of debtor filed 3/12; d/e # 42, contd fr 3/21 to be heard w/mod plan

M Hart      EDNA OLINGER-chl3      7-01-01529      Widener/SJ  
**NOTE; Mod plan filed 7/5, d/e # 22, 23 & Set 8/28 @ 1:00**  
**Objection:** Trustee w/Showcause on Dismissal; d/e # 17

Motion to value collateral of New Holland Credit co & Jo Widener, Tr (d/e # 13, 16)  
-amended mot filed 5/24; d/e # 18

**1:00 P. M. - CHAPTER 13 CONFIRMATIONS**

Farthing	WILLIAM CHATHAM-chl3 Mod Plan filed 5/18 - d/e # 38	7-00-03261	Widener/VS
Gifford	JAMES & LOIS WYATT-chl3 <i>note: mod plan filed 5/25, d/e # 17, 18; <b>conf hrg scheduled 7/24 @1:00</b></i> <b>Objection:</b> Trustee w/showcause on dismissal or conversion; d/e # 14	7-01-01301	Widener/VS
Harman	VIVIAN FLANERY-chl3 Plan filed 4/4; d/e # 5 <b>Objection:</b> Trustee w/showcause on dismissal or conversion, d/e # 16 Highlands Union Bank (Hutton) d/e # 18  <u>Plan filed 6/29 deficient; deficiency ord issued; new plan to be filed</u>	7-01-01456	Widener/JJ
Lance Hale	JAMES & CYNTHIA OSBORNE No Plan filed as of 6/14 Objection & Notice of Trustee w/Show Cause on Dismissal or Conversion – d/e # 22	7-01-01494	Widener/S
Lamie	KENNETH & PATRICIA PROFFITT-chl3 Plan filed 4/6; d/e # 6	7-01-01502	Widener/SJ



**1:00 P. M. - CHAPTER 13 CONFIRMATIONS**

Hutchinson	JERRY & SHARON SINGLETON	7-01-01378	Widener/ AF
	Plan filed 3/30; d/e # 6		

**Note: Report, obj & showcause of trustee filed with NOTICE for 7/24 @ 1,d/e # 16**

**1:30 P. M. - MISCELLANEOUS HEARINGS**

Moffatt/ Fleenor	VERNON & MELISSA LOVE-ch7	7-96-04295	Wick/MC
	<i>Fees Paid , case reopened 6/1/01; and File Recd from Archives 6/12/01</i>		
	<u>Motion # 1: Avoid lien</u> ; contd from 6/20		
	Debtors v. Highlands Union Bank (Hutton)		
	<b>OBJECTION:</b> Highlands Union Bank (Hutton) filed 6/14; d/e # 28		